



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 7, 2006

BRINKLEY, MENENEY, MORGAN, SOLOMON & TATUM LLP
200 EAST LAS OLAS BOULEVARD
FORT LAUDERDALE, FL 33313
US

Dear Sir/Madam,

Your refund request for 10071938 in the amount of \$200.00 has been denied.

Claims withdrawn cannot be refunded.

Sincerely,


VINCENT STUART
Technical Center Others
703 308-9210 x119

04/19/2006 14:28 FAX 954 522 9123

BRINKLEY MCNERNEY

8006

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ROBERTO G. STANLEY ++
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- ♦ REGULARIZED PATENT ATTORNEY
- ♦ BOARD CERTIFIED CITY, COUNTY & LOCAL GOVERNMENT ATTORNEY
- ♦ BOARD CERTIFIED TAX ATTORNEY

Director of the USPTO
Mail Stop 18
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Refunds Branch

April 19, 2006

Via Facsimile

Re: ROBERT J. MULLIGAN
Patent Application Entitled: Device Housing Responsive to an Environmental Stimulus
Serial No. 10/071,938
Account No. 50-1111

To Whom It May Concern:

We are requesting a refund in connection with the above-referenced patent application. The charges were charged in error from the U.S. Patent and Trademark Office ("PTO"). According to the Request for Continued Examination (RCE) submitted on January 26, 2006, Applicant cancelled claims 1-16 and amended claims 26, 28, 29, 31-34, 40-48. Claims 17-25 and 35-39 were withdrawn responsive to a prior restriction requirement. Twenty claims remain pending in the above-referenced application, five of which are independent. Applicant had previously paid for examination of twenty claims, five of which were independent. Therefore, Applicant has not added any extra claims by virtue of the RCE submitted January 26, 2006. As a result, no additional claims fee is believed due for examination of the pending claims.

In view of the above, kindly refund the charge of 200.00 which was posted on the monthly statement of Deposit Account dated December 30, 2005, (a copy of which is enclosed for your reference) into our Deposit Account No. 50-1111. If the PTO believes its charges are authorized by regulation and that Applicant's position is in error, please provide the PTO's reasons in writing explaining the basis for charging the additional fees.

If you have any questions, please feel free to call me.

Very truly yours,

Dan C. Cirilly
Daniel C. Cirilly

DOC:cm
Enclosures
G:\WP\FILES\CLIENTS\MOTOROLA\PROSECUTION\CM015621\03956-PAT USA-CM015621REFUND-PTO.DOC

PAGE 4/10 *RCVD AT 4/19/2006 2:25:36 PM [Eastern Daylight Time] *SVC:USPTO-EXRF-15 *DHS:2736500 *CSID:954 522 9123 *DURATION (mm:ss):03:16

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- ♦ BOARD CERTIFIED TAX LAWYER

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April 19, 2006

Via Facsimile

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Very truly yours,


Daniel C. Crilly

DCC:cm
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Deposit Account Statement

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Deposit Account Statement

Requested Statement Month: February 2006
Deposit Account Number: 601111
Name: BRINKLEY MCNERNEY MORGAN SOLOMON & TATUM
Attention: KEVIN CROSBY
Address: 200 EAST LAS OLAS BLVD
City: FT LAUDERDALE
State: FL
Zip: 33301
Country: UNITED STATES OF AMERICA

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEES CODE	AMT	BAL
X 02/03 2	10071938				
02/03 3	10071938	CM01562L	1201	\$400.00	\$1,512.00
02/03 335	2888494	CM01562L	1202	\$450.00	\$1,062.00
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02/03 337	2817129		8522	\$25.00	\$997.00
02/03 338	2837624		8522	\$25.00	\$972.00
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02/17 188	11354762	7170-04040	2011	\$150.00	\$1,787.00
02/17 187	11354762	7170-04040	2111	\$250.00	\$1,537.00
02/17 1295	78365995	7170-04040	2311	\$100.00	\$1,437.00
02/21 73	10877469	013311-05666	7003	\$100.00	\$1,337.00
02/21 74	10877469	7513-04418	2252	\$225.00	\$1,112.00
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02/24 66	E-REPLENISHMENT	013301-05603	7003	\$100.00	\$762.00
02/27 95	10733861		9203	-\$1,500.00	\$2,262.00
02/27 668	78553552	CS24047US	1251	\$120.00	\$2,142.00
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02/27 1898	78506855	11781-04804	7004	\$150.00	\$1,667.00
		7219-03198	7004	\$150.00	\$1,517.00
START BALANCE		SUM OF CHARGES		SUM OF REPLENISH	END BALANCE

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PAGE 5/10 RCV'D AT 4/19/2006 2:25:36 PM [Eastern Daylight Time] SVR:USPTO-EPRF-15 DMIS:2736500 CSID:954 522 8123 DURATION (min:sec):03:16/2006